



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Approve Downtown Lodi Business Partnership 2005/2006 annual report, adopt resolution of intent to levy annual assessment and set public hearing for January 4, 2006

**MEETING DATE:** December 21, 2005

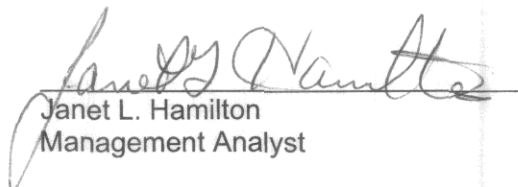
**PREPARED BY:** Management Analyst, City Manager's Office

**RECOMMENDED ACTION:** Council action will be threefold: (1) To approve the Downtown Lodi Business Partnership (DLBP) 2005/2006 Annual Report as submitted by the DLBP Board of Directors, (2) To adopt a Resolution of Intention to levy an annual assessment for that fiscal year, and (3) To set a public hearing for January 4, 2006 to consider the levy of the proposed assessment.

**BACKGROUND INFORMATION:** Pursuant to Lodi Municipal Code Chapter 12.06 and Streets and Highways Code Section 36500 et seq., the DLBP membership Board is required to present an Annual Report (Exhibit A) for City Council's review and approval. This must be done prior to the public hearing and adoption of a Resolution confirming the 2005-06 Annual Report and levy of assessment. The City collects an administrative fee of five percent from the DLBP assessment. Representatives of the DLBP will be present and will make a presentation regarding the attached report. The levy of the annual assessment will be discussed at the January 4<sup>th</sup> meeting.

The report as submitted by DLBP contains a new special events policy with significant fees that apply to DLBP members and non members. Although the DLBP was given "control" over special events in the downtown area, the Agreement attached as Exhibit B to this council communication, does not provide any authority for the DLBP to charge fees for use of the downtown area. In addition, The City Council has authority to modify the Special Events Policy under the provisions of the Parking and Business Improvement Area law of 1989. Streets and Highways Code Section 36533 provides that a BID must file an annual report which shall include proposed assessments and a budget. In addition, subsection (b)(6) requires the report to include "The amount of any contributions to be made from sources other than assessments levied pursuant to this part." Subsection (c) then provides that the "City Council may approve the report as filed by the advisory board or may modify any particular contained in the report and approve it as modified." As such, any item within the report, including the Special Events Policy which provides for funding from "sources other than assessments" is subject to Council approval and modification.

**FISCAL IMPACT:** None

  
Janet L. Hamilton  
Management Analyst

Attachments  
cc: Mary Wallace, DLBP Board Chair

**APPROVED:**   
Blair King, City Manager



October 24, 2005

Mr. Blair King, City Manager  
City of Lodi  
221 W. Pine Street  
Lodi, Ca. 95241-1910

Re: Annual Report 2005/2006

Dear Blair:

Section 11.0 of the City Ordinance Number 1654, establishing the Downtown Lodi Business Improvement Area, requires that we submit to you in September of each year our annual report and budget.

In addition, the State of California Streets and Highways code, which is the enabling legislation, also specifies that certain additional information be provided. You will find all of the required information contained in our report.

We have provided you with seven copies, five for the City Council, one for the City Clerk and one for yourself.

Sincerely,

Mary L. Wallace, President  
Board of Directors  
Downtown Lodi Business Partnership

2038309  
ENDORSED  
FILED

In the office of the Secretary of State  
of the State of California

MAR 31 1998

ARTICLES OF INCORPORATION OF  
DOWNTOWN LODI BUSINESS PARTNERSHIP

*Bill Jones*  
BILL JONES, Secretary of State

A California Nonprofit Mutual Benefit Corporation

One: The name of the corporation is Downtown Lodi Business Partnership (A California Nonprofit Mutual Benefit Corporation)

Two: This corporation is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under such law.

Such purposes for which this corporation is formed are to promote and improve the downtown Lodi business area, to generally improve business conditions in the downtown area, and to generally enhance the downtown area of the City of Lodi. Notwithstanding any other provision of these articles, this corporation shall not engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

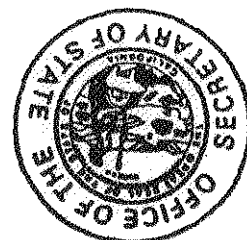
Three: The name and address of the corporation's initial agent for service of process is Ronald M. Beckman, Esq., 111 N. Church Street, Lodi, California, 95240.

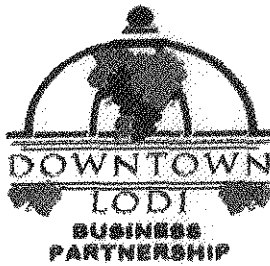
Four: The right to determine the consideration for which memberships will be issued shall be vested in the Regular Members, to be determined by a majority vote of the Regular Members in good standing.

Five: No part of the net earnings of the corporation shall inure to the benefit of any member or private shareholder, as defined for purposes of Section 501 (c) (5) of the Internal Revenue Code of 1954.

Dated: March 31, 1998

*Ronald M. Beckman*  
Ronald M. Beckman, Incorporator





## **2005/2006 Annual Report**

**Items listed below refer to Section 36533(b) of the California Streets and Highway Code:**

- No changes in boundaries of benefit zones within the area are proposed
- No physical improvements are planned
- Budget for the budget year July 1, 2005 through June 30, 2006 is enclosed (Exhibit B)
- A Benefit Fee Schedule and a Map of the Business Improvement Area are enclosed as Exhibits C & D respectively. There are no changes in the Benefit Fee Schedule.
- The Budget details all sources of income and projected expenses

## Exhibit A

The Downtown business community is important to the City's overall health and vitality. The myth:

- Downtown revitalization only benefits downtown,
- Is nothing more than an attempt to save a few declining businesses
- Only benefits those businesses which are located downtown

This myth **must be** dispelled by getting the word out. Downtown revitalization is an investment in the future health of the entire community. Economically depressed downtowns drag the rest of the city down as well. The condition of downtown has come to be viewed as a barometer with two factors that are critical to investors: a community's overall economic health, and the capacity of its private and public sector leaders. Investors, prospects and potential residents, tend to look at a community's downtown as an indication of the quality of life offered by that community. Downtown is the heart of the community.

Over the past seven plus years, our Downtown has become a source of great civic pride and accomplishment, becoming the model for redevelopment throughout the Central Valley and State. Visitors to our city often comment on how pristine our Downtown is. The Downtown Lodi Business Partnership (DLBP) in partnership with businesses, professionals, merchants, and the City, manages Downtown. We maintain an office staffed with an Executive Director and administrative staff, to serve as an advocate for the downtown, to develop and conduct ongoing public awareness and educational programs designed to enhance appreciation of the downtown's physical assets, commercial environment and cultural charm, provides day-to-day oversight of projects in progress, acts as a point person for all downtown-related inquiries and issues, fosters and maintains a cooperative working relationship with existing business owners, prospective developers, and governmental agencies. The staff maintains and disseminates data and information pertaining to specifics projects and events. We establish and administer procedures for the use of streets for various activities and events, conduct events, *develop and implement marketing for Downtown.*

While this year has been challenging, the DLBP has continued to involve, develop, and promote downtown. Our by laws state our purpose with a common business interest of merchants, services, and professionals. Our very active and diverse board of directors is the main leadership element, providing varying expertise in a broad range of subjects.

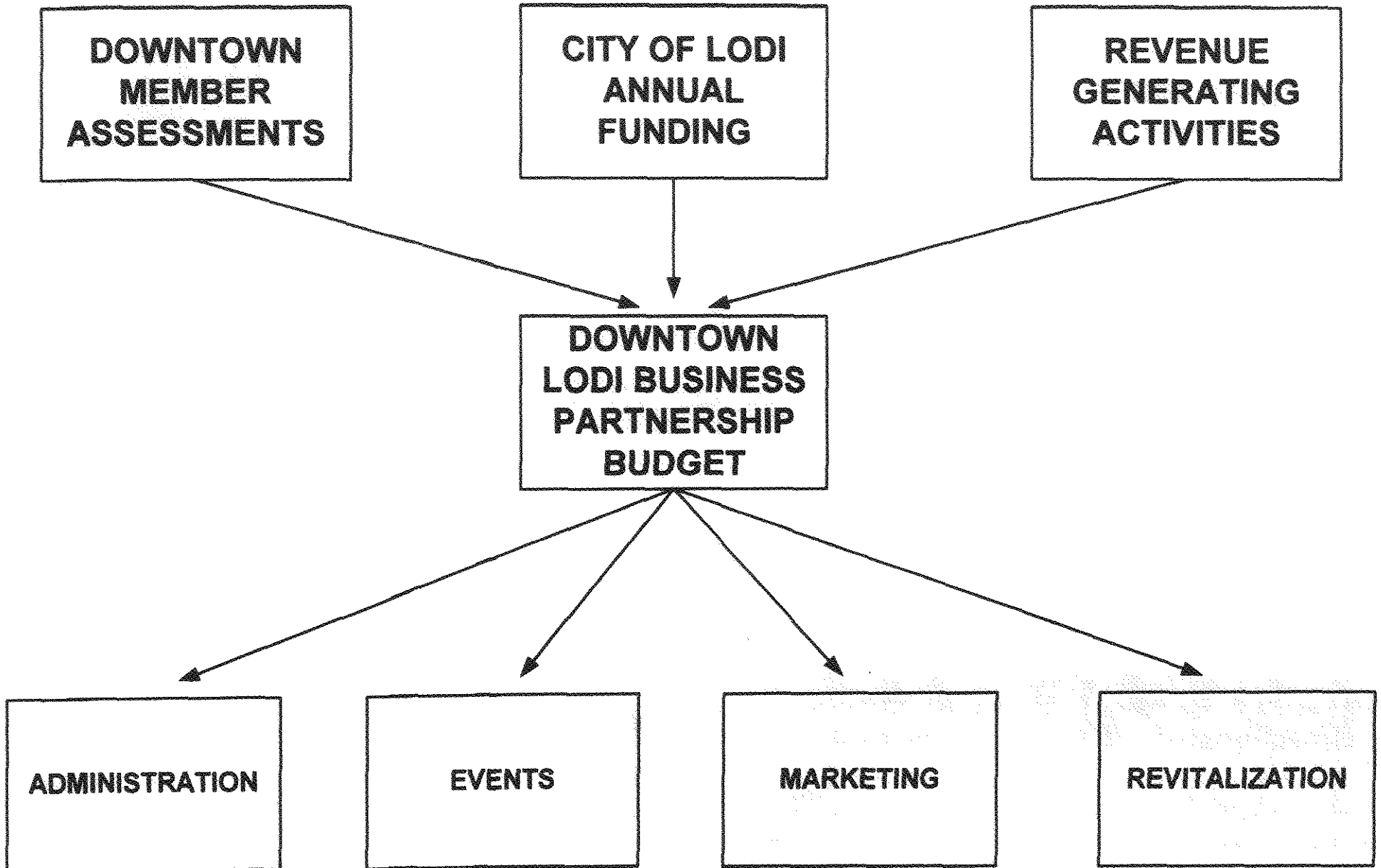
During the past year, we have:

- Set up an Economic Development Committee to coordinate and interface with the City's overall economic development program.
- Developed and implemented the DLBP event policy, contract and fee schedule ( see attached )

- Parking Committee and staff continued to work with city staff on parking management. It should be noted that while many consider parking a problem, we would consider it a bigger problem if there were no vehicles downtown.
- Collaborated and developed relationships with the Lodi Conference and Visitors Bureau, Chamber of Commerce, Wine Grape Commission, Hutchins Street Square, and the City of Lodi to form a group called "Destination Lodi". We meet monthly to discuss partnering to promote Lodi. We spent one full day with a facilitator discussing marketing of Lodi. At the end of the day, it was decided that we have two major areas to market; our wine appellation and Downtown.
- Supported, with enthusiasm, the City, in a program to bring tasting rooms downtown.
- In cooperation with our Faith community, partnered with the Family Faith Festival and 40 Days of community
- Worked with the City transportation manager to promote public transportation in Downtown Lodi. The manager sits on our Parade of Lights committee and is working to establish shuttle buses for the Parade.
- Continued to hold our Signature events: the Farmers Market and the Parade of Lights. Our Farmer's Market continued to grow and is rated one of the top in the State. The Parade of Lights was fantastic with one hundred entries.
- Adopted the Walldogs under our DLBP umbrella and are working in collaboration to insure a success event for our centennial celebration.

Our work is not complete; we still have much to do to reach our ultimate goals for Downtown. It is critical that the City continue to fund the Downtown Lodi Business Partnership for us to be successful. A thriving and successful Downtown will benefit the whole community's overall economic health. We want to thank the City Council and City staff for their continued support. We look forward to working with the City in achieving successes for Downtown Lodi.

# **DOWNTOWN LODI BUSINESS PARTNERSHIP OVERVIEW**



**DOWNTOWN LODI BUSINESS PARTNERSHIP  
PROPOSED BUDGET**

**JULY 1, 2005 THROUGH JUNE 30 2006**

**INCOME**

Assessment Fees	34500.00
City of Lodi	44650.00
Banner Program	2500.00
Brews & Blues	5000.00
Easter Promotion	1500.00
Farmers Market	55000.00
Kiddie Parade	1000.00
Octoberfest	3000.00
Parade of Lights	15000.00
Wine & Sausag Festival	5000.00
Winterfest	6000.00
Miscellaneous Events & Sales	4000.00

<b>TOTAL INCOME</b>	<u>177150.00</u>
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**EVENT EXPENSES**

Banner Program	1000.00
Brews & Blues	1000.00
Centennial Celebration	1000.00
Easter Promotion	500.00
Farmers Market	24000.00
Kiddie Parade	300.00
Octoberfest	1000.00
Parade of Lights	5000.00
Walldogs	1000.00
Wine & Sausage Festival	1000.00
Winterfest	4000.00
Miscellaneous	1000.00

40800.00

**MARKETING EXPENSES**

Marketing Campaigns	10000.00
Mileage & Meetings	1000.00
Web Page Update	4000.00
Advertising & Promotion	5000.00

20000.00

**REVITALIZATION**

Brochure (Historical Walking Tour)	2000.00
Kiosk Update	2000.00
Placques & Trophies	1500.00
Quarterly Meetings	800.00
Sunshine Committee	600.00
Training & Information Seminars	1000.00
Tree Light Maintenance	3000.00

10900.00

**ADMINISTRATIVE EXPENSES**

Bank Fees	500.00
Insurance	12000.00
Office Supplies	2810.00
Office Equipment	2500.00
Postage	1600.00
Payroll Expense	78000.00
Professional Fees	1000.00
Rent	5040.00
Telephone	2000.00

105450.00

**TOTAL EXPENSES**

177150.00

**NET INCOME**

0.00

**EXHIBIT B**



**Downtown Lodi Business Partnership****Profit & Loss**

July 2004 through June 2005

Cash Basis

	Jul '04 - Jun 05
Ordinary Income/Expense	
Income	
Assessment Fees Collected	39,092.50
City of Lodi Funds	43,234.01
Returned check	0.00
Banner Programs	
Farmers Market	2,300.00
Holiday	1,925.00
Banner Programs - Other	0.00
Total Banner Programs	4,225.00
Family Faith Festival 04	18,037.00
Family Faith Festival 2005	4,000.00
2004 Farmers Market	
Star Search entry	140.00
Adopt-A-Banner	825.00
Coupon Book	20.00
Sales-Beer & Wine	17,481.35
2004 Farmers Market - Other	18,339.59
Total 2004 Farmers Market	36,805.94
2005 Farmer Market	
Craft Vendor Fees	7,822.45
Food Vendor Fees	3,342.55
Grower/Produce Vendor Fees	2,970.50
Member Vendor Fees	1,500.00
Sales Beer & Wine	2,423.00
Sponsorship-Other	6,666.00
Refunds	-245.00
Total 2005 Farmer Market	24,479.50
'04 Kiddie Parade	
Coupon	20.00
Food Vendor	40.00
Sales of Water	6.25
Sponsorship	500.00
Total '04 Kiddie Parade	566.25
Parade of Lights 2004	
Float Entry	8,400.00
Sponsorship	2,500.00
Vendor Fee	1,415.00
Total Parade of Lights 2004	12,315.00
Parade of Lights 2005	
Vendor Fee	300.00
Sponsorship	50.00
Total Parade of Lights 2005	350.00
Photos With Easter Bunny	775.00
See's Candy Fundraiser	18,316.68
Uncategorized Income	0.00
Wine & Sausage Festival	4,955.25
Winterfest - Income	
Photos w/ Santa	
Sponsorship	450.00
Photos w/ Santa - Other	2,337.00
Total Photos w/ Santa	2,787.00
Sponsorship	1,571.00
Total Winterfest - Income	4,358.00
Total Income	211,510.13

**Downtown Lodi Business Partnership**  
**Profit & Loss**  
 July 2004 through June 2005

Cash Basis

	Jul '04 - Jun 05
<b>Expense</b>	
Event Expense-Miscellaneous	
Rentals	207.09
Supplies Misc.	238.05
Event Expense-Miscellaneous - Other	30.60
<b>Total Event Expense-Miscellaneous</b>	<b>475.74</b>
Banner Program	
Labor	150.00
<b>Total Banner Program</b>	<b>150.00</b>
Family Faith Festival-	
Advertising	716.34
Donation	225.00
Entertainment	18,527.62
Labor	288.00
Permits	404.00
Postage & Delivery	96.20
Posters/Banners/Signs	1,215.50
Reimbursement	300.49
Sanitation	314.33
Supplies	787.54
Family Faith Festival- - Other	0.00
<b>Total Family Faith Festival-</b>	<b>22,875.02</b>
Farmers Market Expenses	
Advertising	1,712.05
Banners	3,968.58
Beer & Wine	9,192.15
Coupon Book	39.48
Entertainment	2,190.00
Labor/Repairs	2,831.84
License/Permits/Inspections	2,251.22
Plaques	53.00
Postage & Delivery	153.15
Posters/Signs	283.57
Promotions	490.80
Rental	795.00
Sanitation	1,178.50
Supplies	249.45
Farmers Market Expenses - Other	49.19
<b>Total Farmers Market Expenses</b>	<b>25,437.98</b>
Halloween Event	
Advertising	711.76
Labor	66.00
Permits	32.00
Supplies	289.13
<b>Total Halloween Event</b>	<b>1,098.89</b>
Kiddie's Parade	
Advertising	543.12
Grand Prize Winner	100.00
Ice Cream	28.25
Labor/Emcee	265.00
Merchants Notification	47.41
Permit/Inspections/License	32.00
Plaque-Sponsorship	53.50
Supplies	539.93
<b>Total Kiddie's Parade</b>	<b>1,609.21</b>

# Downtown Lodi Business Partnership Profit & Loss

July 2004 through June 2005

Cash Basis

	Jul '04 - Jun '05
Parade of Lights	
Advertising	3,873.48
Entertainment/Decor	1,146.31
Labor	192.00
Permits/Inspections/License	752.75
Sanitation	351.09
Supplies	122.60
Total Parade of Lights	6,438.23
Spring Event	
Advertising	23.17
Permits	32.00
Supplies	732.50
Total Spring Event	787.67
Star Search	
Grand Prize Winners	1,000.00
Total Star Search	1,000.00
Valentine's Day	
Materials & Supplies	11.31
Total Valentine's Day	11.31
Wine and Sausage Festival	2,191.66
WinterFest	
Advertising	1,264.80
Banners	4,423.95
Entertainment	3,111.70
Labor	810.90
Permits	64.00
Supplies	1,568.12
Total WinterFest	11,243.47
Advertising	
Newspaper	200.00
Posters/Banners/Signs	144.00
Advertising - Other	220.65
Total Advertising	564.65
Bank Service Charges	389.22
Board Appreciation	199.34
Candy Sales	13,128.72
Credit Card Fees	412.54
Dues & Subscriptions	950.58
Helium Tank Rental	145.44
Insurance	
Liability Insurance	8,717.22
Medical	1,170.00
Work Comp	2,872.60
Insurance - Other	583.03
Total Insurance	13,342.85
Meetings	762.78
Mileage	241.15
Miscellaneous	809.96
Newsletter	265.78
Office Supplies	5,472.34
Outside Services	295.85
Postage and Delivery	
Postage by Phone	655.97
Postage and Delivery - Other	1,032.43
Total Postage and Delivery	1,688.40

**Downtown Lodi Business Partnership**  
**Profit & Loss**  
July 2004 through June 2005

Cash Basis

	Jul '04 - Jun 05
Payroll Expense	
Administrator Salaries	58,016.59
Office Salaries	35,568.99
Payroll Tax Expense	3,113.34
Payroll Expense - Other	-25,732.70
Total Payroll Expense	70,966.22
Professional Fees	
Accounting	675.00
Bookkeeping	150.00
Professional Fees - Other	790.00
Total Professional Fees	1,615.00
Promotions	213.01
Reimbursements	400.00
Rent	5,040.00
Repairs	
Computer Repairs/service	300.00
Repairs - Other	303.51
Total Repairs	603.51
Returned Check Fee	-15.41
Sunshine Committee	204.54
Supplies	294.78
Taxes	
State	1,117.84
Total Taxes	1,117.84
Telephone	
Cell Phone	943.27
Internet	476.46
Telephone - Other	1,006.46
Total Telephone	2,426.19
Tree Lights	80.41
Total Expense	194,934.87
Net Ordinary Income	16,575.26
Other Income/Expense	
Other Income	
Interest Income	133.60
Total Other Income	133.60
Net Other Income	133.60
Net Income	16,708.86

**EXHIBIT C**  
**Downtown Lodi Business Partnership**  
**Benefit Fee Schedule**

	ZONE A	ZONE B
Retailers and Restaurants	\$200. (1-3 emp.) \$300. (4-6 emp.) \$400. (7 + emp.)	\$100. \$150. \$200.
Service Businesses	\$150.	\$ 75.
Professional Business	\$100.	\$ 50.
Financial Institutions	\$500.	\$500.

Note: Retail and restaurant businesses will be charged on size which will determined by the number of employees, either full-time or the equivalent made up of multiples of part-time employees.

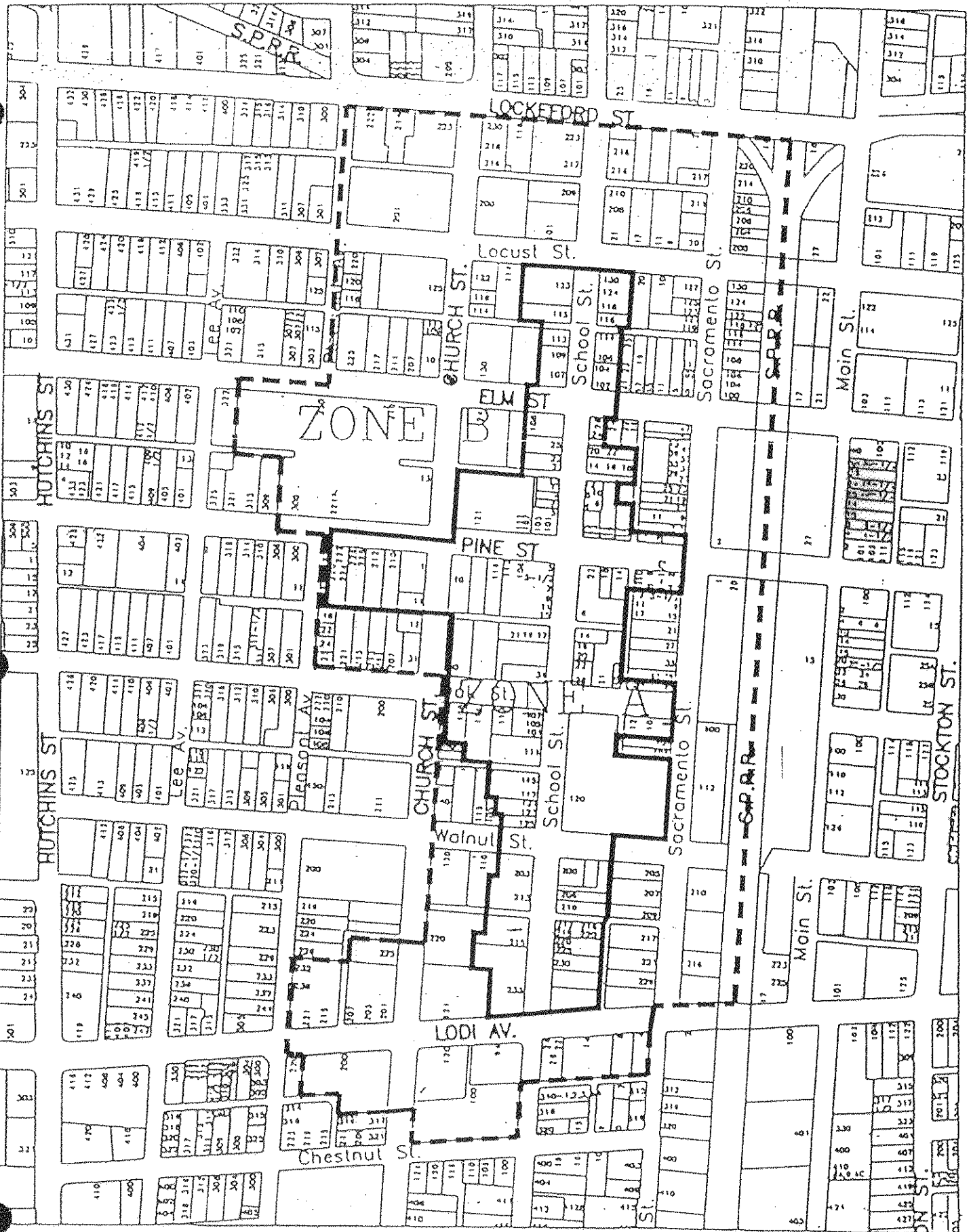
**Business type definitions:**

**Retail and Restaurant:** Businesses that buy and resell goods, examples are clothing stores, shoe stores, office supplies as well as businesses that sell prepared foods and drinks.

**Service Businesses:** Businesses that sell services. Examples are beauty and barber shops, repair shops, lodging, most automotive-oriented businesses, entertainment businesses such as theaters, etc.

**Professional Businesses:** Includes Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.

**Financial Institutions:** Includes banking and savings and loan institutions as well as credit unions, etc.



DOWNTOWN LODI BUSINESS PARTNERSHIP

BUSINESS IMPROVEMENT AREA MAP

EXHIBIT D



## **DOWNTOWN LODI BUSINESS PARTNERSHIP**

### **MISSION STATEMENT**

Under agreement with the City of Lodi, the Downtown Lodi Business Partnership (DLBP) manages the Downtown Business Improvement Area (BIA), and works in partnership with businesses, property owners, cultural institutions and local city officials to enhance the revitalization efforts of downtown Lodi. Since it's inception, the Downtown Lodi Business Partnership has been instrumental in the tremendous growth and vibrancy of the downtown community.

**The mission statement of the DLBP is to:**

- **Encourage the development of new businesses, while retaining and revitalizing existing businesses**
- **Promote retail activity by creating and maintaining a quality environment through cooperative advertising and special events in the downtown area**
- **Serve as an advocate for downtown businesses in dealing with local government, maintenance projects, the media and general public**



## **The Brown Act**

The DLBP complies with the Ralph M. Brown Act for its board meetings, general meetings and standing committee meetings.

Agendas of board meetings, general meetings or standing committee meetings shall be publicly posted 72 hours in advance of that meeting.

All DLBP meetings are open to the public. The only exceptions for closed meetings are for personnel issues and litigation issues.

For DLBP board meetings and general meetings, a copy of the meeting agendas are sent to board members via email, delivered to those without email, and posted in the window of the DLBP office located at 4 W. Pine Street.

A copy of the agenda for those meetings is also sent to The Lodi News Sentinel and The Stockton Record.

For committee meetings, the agendas are posted in the window of the DLBP office for public review.

For specific terms of the Brown Act, please refer to the Brown Act file located in the DLBP office.



## Events

### Overview:

- Develop Events that are not exclusive to marketing the Downtown, but the city of Lodi
- Develop Events that hold a recognized theme
- Modify the Farmers Market Event to include participants to fall into the category of "Homemade" and "Homegrown".
- Develop Partnerships with various groups/clubs to incorporate their heritage into our events that contain a theme.
- Implement the Downtown Lodi Business Partnership Event Policy

## 2006 DOWNTOWN LODI CALENDAR OF EVENTS

### DLBP EVENTS

VALENTINE'S DAY RETAIL PROMOTION  
ST. PATRICK'S DAY CELEBRATION  
SACRAMENTO STREET CAR SHOW  
SPRING SIDEWALK EGGS-TRAVAGANZA  
PHOTOS WITH THE EASTER BUNNY  
WALL DOGS CENTINNIAL CELEBRATION  
CINCO DE MAYO CELEBRATION  
HISTORIC WALKING TOUR  
MOTHER'S DAY PROMOTION  
FARMERS MARKET & FESTIVAL  
WINE & SAUSAGE FESTIVAL  
FATHER'S DAY PROMOTION  
BREWS & BLUES FESTIVAL  
BACK-TO-SCHOOL SIDEWALK SALE  
69th ANNUAL KIDDIE PARADE  
OKTOBERFEST  
SAFE-HALLOWEEN  
WINTERFEST  
PHOTOS WITH SANTA &  
VICTORIAN-ERA CARRIAGE RIDES  
MERCHANT WINDOW DISPLAY CONTEST  
11th ANNUAL PARADE OF LIGHTS  
NEW YEAR'S EVE CELEBRATION

Saturday, Feb. 11

Friday, March 17

Saturday, April 1

Saturday, April 15

Saturday, April 15

Sunday, April 16

April 28 - May 31

Friday, May 5

Weekends beginning  
in May

Saturday, May 13

Thursdays

June 1 - Sept. 28

Sunday, June 11

Saturday, June 17

Sunday, July 23

Saturday, Aug. 5

Saturday, Sept. 16

Sunday, Oct. 15

Saturday, Oct. 28

Saturday, Nov. 25

Saturdays

Nov. 25 - Dec. 16

Nov. 25 - Dec. 31

Thursday, Dec. 7

Sunday, Dec. 31

### NON-DLBP EVENTS

SCHOOL STREET STROLL

LODI STREET FAIRE

Fridays (tentative)

April 14 & Oct. 13

Sundays (tentative)

May 7 & Oct. 1

2006

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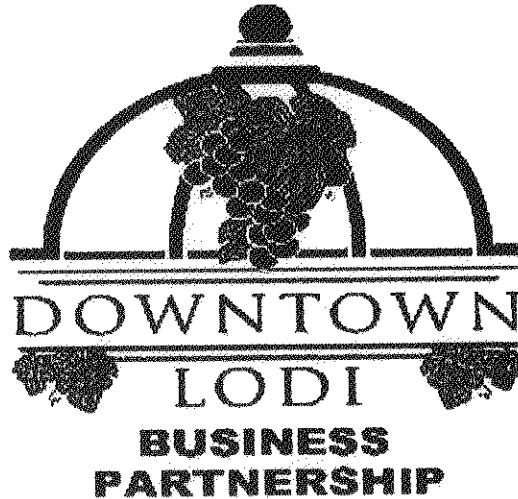
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## **Downtown Lodi Business Partnership**



# **Special Events Policy**

2005

**Event & Promotions Committee**

# Downtown Lodi

## Special Event Permit – Application & Fees

### COMMERCIAL ORGANIZATIONS (FOR-PROFIT)

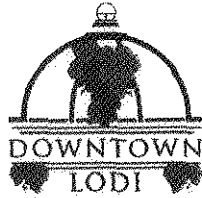
CLASS	ANTICIPATED ATTENDANCE	APPLICATION FEE	PERMIT FEE
A	50,000	\$ 150.00	\$15,000.00
B	20,000 – 49,000	\$ 150.00	\$8,000.00
C	10,000 – 19,000	\$ 100.00	\$ 5,000.00
D	2,000 – 9,999	\$ 100.00	\$ 2,500.00
E	250 – 1,999	\$ 100.00	\$ 500.00

### NON-PROFIT ORGANIZATIONS AND/OR DLBP MEMBERS

CLASS	ANTICIPATED ATTENDANCE	APPLICATION FEE	PERMIT FEE
A	50,000	\$ 100.00	\$ 9,000.00
B	20,000 – 49,000	\$ 100.00	\$ 3,000.00
C	10,000 – 19,000	\$ 50.00	\$ 1,500.00
D	2,000 – 9,999	\$ 50.00	\$ 750.00
E	250 – 1,999	\$ 50.00	\$ 250.00

### CHARITABLE EVENTS

CLASS	ANTICIPATED ATTENDANCE	APPLICATION FEE	PERMIT FEE
A	50,000	\$ 100.00	\$ 3,000.00
B	20,000 – 49,000	\$ 100.00	\$ 1,500.00
C	10,000 – 19,000	\$ 50.00	\$ 750.00
D	2,000 – 9,999	\$ 50.00	\$ 250.00
E	250 – 1,999	\$ 50.00	\$ 0



## **DOWNTOWN LODI SPECIAL EVENTS POLICY**

This document outlines the guidelines for the implementation of a special event in the Lodi Downtown Area, as set forth by the Downtown Lodi Business Partnership (DLBP). It defines, categorizes, and sets a fee structure for Special Events held within the Business Improvement Area (BIA).

### **PURPOSE**

It is the purpose of this policy to regulate and standardize the process of holding a special event in Downtown Lodi so that such events can be held with the safety and health of the participants in mind, the protection of public property considered, and the impact of the event on non-participating citizens minimized. A corollary purpose to this policy is to ensure that those who benefit from an event bear the cost of the event. This includes any special requirements or demands from the Downtown Lodi Business Partnership and/or City of Lodi.

Community festivals and special events serve to promote tourism, showcase local talent, expose artists and performers to new audiences, invigorate community spirit, revitalize the downtown area and contribute substantial economic and social benefits to the local community. In recognition of these benefits, it is the policy of the Downtown Lodi Business Partnership to encourage community activities which promote tourism, foster the economic revitalization and growth of the downtown area while increasing the cultural activities available to the residents of the Lodi area.

The Downtown Lodi Business Partnership recognizes the complexity of implementing a special event and encourages the applicant to utilize the resources and knowledge provided by the Special Events staff. The success of a special event in the downtown area benefits both the applicant as well the Downtown Lodi Business Partnership. The DLBP is committed to working hand-in-hand with the surrounding community in an effort to achieve highly successful and mutually beneficial special events in the downtown area.

Downtown Lodi is host to many public outdoor events on an annual basis. As you begin the planning process for your event, it is important to recognize that your activity plays a unique part in the relationship

we have with each individual within the community and that the quality of your event can make a considerable difference to the City of Lodi. Our outdoor events add to the character of the downtown area and provide an opportunity for merchants, vendors, residents and guests to interact with one another. This information below is intended to help you better understand the DLBP's outdoor event permit procedure and provide helpful tips to help facilitate your planning process.

## PERMIT PROCESS

In order to process your Special Event Permit application, it must be received by the Downtown Lodi Business Partnership no less than 120 days prior to the actual date of your event. The DLBP's Special Events Committee (SEC) shall be responsible for coordinating and approving the permitting of all outdoor events, including each of its components. Generally, the scheduling and review of events shall be on a first come, first served basis. In addition to obtaining the event permit, there are several other permits which may need to be acquired; you will read more about these types of permits throughout this packet. It is our goal to assist every event organizer in properly planning safe and successful events which have minimal impact to the daily business operations of our local merchants and business owners.

## HOW TO SUBMIT YOUR SPECIAL EVENT PERMIT APPLICATION

After you have carefully developed your outdoor event plan, submit your proposed event description and plan to the DLBP on the forms enclosed. Please be aware that failure to submit your application in a timely manner, or submitting an incomplete application, may result in a delay of the approval process. Applications which are not completed in their entirety will be returned and will not be reviewed by the SEC until all information has been completed in full.

Once you have submitted your Special Event Permit Application to the DLBP, you will be contacted to schedule a meeting with the Special Events Committee, a group comprised of DLBP Event Staff, Board Members and local merchants.

We hope that you find these instructions helpful. Should you have any questions or require further assistance, please do not hesitate to contact the Downtown Lodi Business Partnership Special Events Department at (209) 369-8052.

*Thank you for your interest in Historic Downtown Lodi as the venue-of-choice for your event!!!*

## DEFINITIONS

- **Application:** A written request on forms supplied by the DLBP Special Events Committee (SEC) which sets forth the information required to be provided by this policy.
- **City** shall refer to the City of Lodi
- **City-Sponsored Event:** A public event which is directly related to a recognized function of city government and which is in major part initiated, financed and executed by the City. It does not include events in which the City is merely listed as a co-sponsor if the City does not carry a major share of the burden of initiating, financing and executing the event.
- **Downtown Lodi Business Partnership (DLBP):** The organization responsible, as mandated by its member businesses and the City of Lodi, to oversee, manage and market the activities and events which occur within the Business Improvement Area (BIA).
- **Downtown Business Improvement /Festival Area (BIA):** The streets and businesses within the downtown district which make up the Business Improvement Area (see attached map).
- **Event Bond/Deposit:** A bond/deposit conditioned upon good performance which shall be required of any applicant who proposes to do the cleaning of streets or festival areas in connection with an approved special event. This bond/deposit will provide coverage for any damages in connection with the special event.
- **Extra Personnel Hours:** The total of the number of all hours worked by DLBP and city employees in the particular departments or areas under consideration for classification purposes in connection with the production of the special event in question, to the extent that such hours exceed the total number of hours which would have been worked by those same city employees in the same location had the special event not taken place. Excluded from this definition are the personnel hours worked by the SEC or DLBP staff designated to fulfill the function of the Special Events Committee on any particular occasion.
- **Party:** Shall refer to the applicant who makes a request to hold a Special Event.
- **Political Demonstration:** A public gathering, procession or parade, the primary purpose of which is the exercise of the rights of assembly and free speech as guaranteed by the First Amendment to the

Constitution of the United States. The fact that such an event may be advertised as a "special event" does not in and of itself bring such a demonstration within the scope of this policy.

- **Special Event:** Refers to outdoor events that include, but are not limited to, the following: fair, carnival, circus, parade, concert, walk or run, graduation, block party or other festival, ceremony, rally, procession, or mass gathering. A Special Event may also involve selling, advertising, and/or promoting. The policy includes events held on private property if the event affects or impacts any part of the *downtown business improvement area* or otherwise extends beyond the boundaries of the immediate property.
- **Special Events Committee (SEC):** An appointed committee of representatives from the Downtown Lodi Business Partnership who may be affected by a special event. The committee purpose shall be to review and evaluate a party's application for approval/denial by the DLBP Board of Directors.
- **Downtown Events Coordinator (DEC):** The person(s)/department(s) designated by the DLBP Special Events Committee to carry out the functions of this policy. In addition to the functions listed hereafter, the Downtown Events Coordinator will act as the communicator and liaison to the party requesting a special event and will be responsible for monitoring the submittal of charges, fees, deposits and appropriate insurance requirements. The DEC will also review all applications for completeness prior to submittal to the SEC for review.
- **Permit Fee:** The fee required to be paid by an organization or entity for the issuance of an agreement to hold a public festival or event in the downtown area.
- **Application Fee:** The non-refundable fee required upon submission of your application packet in order to cover the costs of processing and verifying the information provided.

## CRITERIA FOR EVALUATING SPECIAL EVENTS

- The DLBP encourages the production of special events which will attract people downtown and help stimulate a positive downtown environment. The DLBP Special Events Committee shall be charged with the responsibility of determining whether or not a particular applicant shall be entitled to hold a special event within the boundaries of the BIA, and in determining whether to grant or deny a particular application, shall take into account the effect the proposed special event will have upon the environment, the business climate, and the public health and safety of downtown merchants,



residents and guests. The SEC shall also take into account the frequency with which such events are held and the convenience of the public and merchants in relation thereto.

**The DLBP Special Events Committee will also consider:**

- How well the applicant, insofar as it can be determined, appears capable or incapable of executing the planned special event;
- Whether any inconvenience which may be suffered by the general public or member businesses is outweighed by the potential benefit to the downtown community as a whole;
- Whether budgetary considerations at the time of the application create such a heavy burden upon DLBP or financial resources that it would not be practical to hold the proposed special event at the *time requested*;
- Whether the holding of the special event as planned would create an undue burden upon the manpower resources of the DLBP or City; and
- Whether the health and safety of the public, or downtown economy, would be compromised substantially.

**In addition to the criteria above, the DLBP shall take into account the following considerations:**

- *The extent to which the event contributes to the promotion of tourism.*
- *The extent to which the event contributes to economic revitalization.*
- *The extent to which the event increases cultural programming available to residents of the Lodi area.*
- *The impact of the event on the environment.*
- *The frequency of the same or similar event(s).*

## SPECIAL EVENT APPLICATIONS

Parties who wish to make a request for a Special Event should contact the DLBP's Administrative Office during standard office hours for a complete Special Event Application Packet. The completed request form shall be submitted to the DLBP no less than 120 days prior to the requested date. Applications will be accepted on a first-come, first-served basis. However, returning events have ninety (90) days from the last day of that event to submit their application for the following year's adjusted dates. After the ninety (90) days, all events may be scheduled on a first-come, first-served basis, regardless of previous use. The party will be notified of the other departments and organizations that should be contacted.

It is recognized that circumstances surrounding requests for Special Events may require varying amounts of attention, time, and effort devoted to the process and procedure of approving or denying the request. Therefore, it is understood that every effort will be made to respond and make a decision on a request within a reasonable period of time. It is also expected that the party making the request will anticipate a reasonable length of lead time required to make a final decision.

When two or more parties make a request for the same area on the same date, a compromise agreement between the parties will be attempted. In the case where a conflict cannot be resolved, the final determination for granting a special event request remains with the Special Events Coordinator.

### **The application must include the following information:**

1. The name of the special event and its purpose in general terms.
2. The name(s) of the person(s) or organization(s) sponsoring said special event, together with the addresses and telephone numbers of all such persons or organizations.
3. The date or dates of the proposed special event.
4. The specific location(s) within the Downtown Lodi area where the proposed event would take place.
5. The number of persons estimated to be in attendance at such event.
6. Whether any street closures are requested, and, if so, the number of streets and when.

7. Whether any beer, wine, or other spiritous beverages are expected to be present and/or sold for public consumption, together with a detailed proposal for any such sale, indicating among other things, who is expected to be the vendor or vendors, whether such vendor or vendors presently hold any type of license for on-premises consumption of alcoholic beverages, and stating the exact locations and times for such sales.
8. Whether any temporary outdoor structures (i.e. staging, awnings, tents, scaffolding, etc.) are proposed to be built, describing them in detail.
9. Whether any signs or banners are proposed to be erected, giving details.
10. Any parades, road races, etc. planned in connection with such event, stating details; including the time, location and anticipated crowd.
11. Whether entertainment will be involved, giving details as to nature, time and place.
12. Whether there will be street vendors or peddlers involved, giving details, including specifically contracted or regularly licensed vendors and peddlers.
13. Whether the applicant proposes either in whole or in part to be responsible for cleaning up the area used, specifying details.
14. Whether the applicant proposes to hire security guards or off-duty officers to assist in security and traffic control, giving details.
15. Whether utility services such as electrical power or water will be required specifying amount and type.
16. Whether electrical wiring shall be installed, specifying installation details.
17. A proposed parking plan.
18. Traffic control plan.
19. A plan for emergency health services to be forwarded to the Health Department.
20. A plan which addresses the needs of persons with disabilities.

21. The applicant should specify any service, material, or property which is expected to be provided by the DLBP or the city. Special Events will be limited to city property that can accommodate the event.
22. Event holders who wish to use other city property must file a detailed event plan including a map of the event.

## APPLICATION REVIEW

When the applicant submits a Special Event application, the Special Events Committee will review the application to determine the impact the event will have on the public, if special City services will be required, and what additional licenses and permits are needed (encroachment permit, re-seller's license, health permit, etc.). If an event is considered closed to the public or if streets will be closed, the Special Events Coordinator may request the sponsor contact neighboring residents and/or merchants for permission.

The following DLBP, City & County Departments will be involved in reviewing specific portions of the Special Event Application:

1. **DLBP Administrative Office:** Will review all applications and disseminate information to the appropriate departments involved, establish special needs or requirements, review and determine all necessary licenses and permits, and review all operating, logistical and cleanup plans. Will determine whether requested property is available at the requested date/s and if the event conforms to the DLBP's Special Event Policy.
2. **City of Lodi - Public Works Department:** Will review all plans for temporary structures, street closures and proposed activities which will occur in the public-right-of-way and, if the request is approved, provide the appropriate permits. This Department shall also review all plans pertaining to sanitation, pre and post-event street cleaning, and determine any additional barricade and street closure requirements and/or equipment needs
3. **San Joaquin County Health Department:** Will review all plans including medical and environmental hazards, on-site food vending, and other health and safety requirements. Approval by this Department will require a Temporary Event Permit and in the case of on-site food sales, a Temporary Event Health Permit.
4. **City of Lodi - Fire Department:** Will review all plans to determine life safety hazards, fire personnel and accessibility issues.

5. **City of Lodi - Police Department:** Will review all plans for security, parking, and traffic, noise and crowd control.
6. **City of Lodi - Risk Manager:** Will review all plans to determine appropriate
7. insurance levels and liability requirements.
8. **City of Lodi - Transportation Division:** Will review all plans pertaining to mass transportation, and the use of public parking structures and lots.

## **Downtown Lodi Business Partnership 2006 Marketing Plan**

### **Objective:**

Through advertising, events, and special merchant promotions that highlight our businesses and historic buildings and streets, the Downtown Lodi Business Partnership's marketing goal is to bring visitors and residents to Downtown.

### **Goals:**

The main goal of the DLBP is to bring more customers and businesses to the downtown, therefore, increasing the tax base. The DLBP will work together with organizations such as the Conference and Visitors Bureau, Chamber of Commerce, Hutchins Street, Wine Grape Commission, and the City of Lodi to develop collaborative events and promotions that will help market and promote not only Downtown Lodi, but the City of Lodi as well. The DLBP is looking forward to partnering with the viticulture community in an effort to bring the wine industry to Downtown Lodi. The DLBP will continue to work on strengthening its relationship with the downtown merchants by offering a full program of services to our members:

- Quarterly newsletters
- Quarterly Member Meetings
- New Business Information Packets
- Parking Management Committee
- Marketing & Promotions Committee
- DLBP office staff to serve the membership and public
- Serve as an advisory advocate for the membership with the City of Lodi
- Sunshine Committee

## **Advertising & Promotional Tools**

### **Newspaper:**

The Lodi News-Sentinel has been our primary source of advertising. Through the News-Sentinel, we promote Downtown with our own special pull-out Tabloid section eight times a year. This tool has been very beneficial for our membership and our organization. It has served to advertise our special events, inform the public with educational articles written by our membership, and give membership a discounted advertising rate.

Additionally, we use the Galt Herald, the Stockton Record, and the Pennysaver/Local Living on a limited basis for promoting events and media alerts.

### **Website:**

The DLBP is working to improve our Website, which is currently down for construction. Our goal is to make the Website a user friendly tool for the public to find information on Downtown.. It will provide links to various organizations and the City of Lodi. We will also encourage our membership to further develop their own Websites.

### **Banners:**

The DLBP launched it's "sponsor a banner" program in June 2004. The campaign coincides with the Farmers Market and the Holiday Season. The campaign is a beneficial tool for the merchants to advertise and for the DLBP to promote events through the year.

### **Brochures:**

It was decided not to issue a new Downtown brochure this year, but rather partner with the Chamber of Commerce and place an ad in their new map. Since the Conference & Visitors Bureau is also publishing a tear off map to be placed in hotels and businesses, it was felt that three maps were not needed. However, we are currently working on a historic walking tour of Downtown that will highlight historical points of interest and perhaps can include a Walldog map.

**Member Promotion and Public Relations:**

The DLBP will continue to feature businesses profiles in our Tabloid and encourage the Lodi-Sentinel to profile downtown businesses on a regular basis. Press releases will continue to be Issued for new and expanding businesses downtown.

**Shop Downtown Lodi First Program:**

The purpose of this program is to convince consumers to shop Lodi first before going out of town. Shopping locally permits the local businesses to expand and allows them to underwrite community events, support charities, sponsor youth activities and generally help the community from which they derive their will being.

Sales tax is on of the most important sources of funding that pays for the City of Lodi police, fire, maintenance personnel, street services and all other city functions. We can help improve our tax base.

Shop Lodi goals are to increase purchases made in Lodi, thereby increasing retail sales and sales tax revenue. The purpose of this program is to educate the public and increase community awareness of the benefits of making their purchases in Lodi. We will continue to enlist the cooperation of the City of Lodi, the Chamber, and the Lodi Visitors & Convention Bureau to promote the Shop Lodi First program.

**Niche Marketing:**

This marketing concept works well in our area since there are a good number of like businesses that can be marketed as a group. This concept will continue to be used with the restaurant guide in the newspaper Tabloid, articles, group ads, and additional promotions. We will continue to partner with Hutchins Street in promoting dinner and a night at Hutchins Street.

**Kiosk Program:**

Along with being an attractive staple of Downtown Lodi, the kiosk program has also become a great advertising tool for local arts, entertainment, and events. The DLBP is looking to refurbish the kiosks this next year and will work to make the program even better.

**Transparency at Wine & Visitors Center:**

The DLBP would like to partner with the Wine & Visitors Center to have an appropriate advertisement for Downtown Lodi at the center to encourage visitors to come Downtown.



**Billboards:**

We would like to consider partnering with other groups to have a billboard along either Rte.99 or Rte. 5.

**Events:**

The Downtown Lodi Business Partnership will continue to rely on events held throughout the year to help promote and market Downtown. In addition to our celebratory and signature events, the DLBP will be adding more retail promotions in an effort to increase business for the merchants. A calendar of proposed events for 2006 is enclosed in this packet.



## **DEVELOPING A STRATEGIC PLAN**

The Board approved a Vision Plan, which included six parts. This is the consolidated action steps from each of you. The Board now needs to establish priorities and a timetable.

### **1. INVOLVE ALL DOWNTOWN MERCHANTS**

- Establish communication methods & guidelines (e-mail, fax, phone, personal visits, newsletter)
- Do a survey with merchants (need to find their expectants, talents, and level of involvement)
- Each Board meeting to include report (merchant visits, involvement, questions, etc.)
- Establish guidelines for Merchant Recognition (New, Anniversary, Awards, Special Events, etc.)

### **2. PROMOTE DOWNTOWN LODI**

- Shop Downtown Campaign (Finish Brochure, Map, Kiosks, Frequent Shoppers, Mystery Shopper)
- Get customer base from merchants during survey and advertise to this base.
- Study of best form of advertising (Web page-need to complete, also review newspaper, T.V., radio, etc.)
- Signs. Need to develop unique signing for every major entrance to Lodi

### **3. CREATE EVENTS**

- Maintain: Large Venues (Farmers Market, Parade of Lights)
- Grow: or discontinue others (Kiddie Parade, Safe Halloween)
- Create: New Venues (Jazz, October Fest, First Night Out, Arts Fair, Christmas Festival)



#### **4. COOPERATE WITH OTHERS ENTITIES**

- City
- Chamber
- Vine & Visitors
- All others that have Downtown's interest

The cooperation would be to attend other meetings, tie in with other events, have joint events, share training, share cost. Common newsletter for all entities?

#### **5. EFFECT MERCHANT MIX**

- Survey to community, what do they want?
- Why locate Downtown?
- Work with Realtors, City, Etc.
- Develop a list of all merchants and provide direction on desired mix of stores.

#### **6. IDENTIFY OUR DOWNTOWN**

- New Slogan
- Review Logo
- Wall Dog Murals
- Tie in All Signing, advertising from all entities to reflect the same logo, theme, slogan.



## DOWNTOWN LODI BUSINESS PARTNERSHIP FREQUENTLY ASKED QUESTIONS

### How are my assessments determined?

Assessment fees for businesses located within the Business Improvement Area (BIA) are calculated as follows:

### BENEFIT FEE SCHEDULE

BUSINESS TYPE	ZONE A	ZONE B
<b>Retailers/Restaurants*</b>	\$200 (1-3 Employees)	\$100
	\$300 (4-6 Employees)	\$150
	\$400 (7+ Employees)	\$200
<b>Service Businesses</b>	\$150	\$75
<b>Professional Businesses</b>	\$100	\$50
<b>Financial Institutions</b>	\$500	\$500

**\*Note:** Retail and restaurant businesses are assessed based on the number of employees - either full-time, or the equivalent made up of multiple employees.

### BUSINESS TYPE DEFINITIONS:

- **Retail and Restaurant** – Businesses that buy and resell goods. Examples would be clothing stores, shoe stores, office supplies, as well as businesses that sell prepared food and drinks.
- **Service Businesses** – Businesses that sell services. Examples are beauty and barber shops, repair shops, lodging, most automotive-oriented businesses, entertainment businesses such as theaters, etc.
- **Professional Businesses** – Includes architects, engineers, attorneys, dentists, doctors, accountants, optometrists, realtors, insurance offices, mortgage brokers and most other businesses which require advanced or specialized licenses, and/or advanced academic degrees.
- **Financial Institutions** – Includes banking and savings and loan institutions, as well as credit unions, etc.

10/20/2005

**When will I be billed?**

The DLBP levies annual assessments for businesses residing within the BIA on January 1<sup>st</sup> of each year. Your assessment fee will be included on your annual business license renewal from the City of Lodi. Payment should be mailed directly to the City of Lodi, who in turn, reimburses 100% of the assessment fee back to the DLBP.

**What if my business doesn't directly benefit from the BIA?**

But it does! You are a member of a community that derives its strength from cooperative action. You have selected the location of your business because of desirability, status and environment; and as the appearance and success of your business neighborhood improves, these three factors will improve as well.

**Do I have to pay?**

Yes. This is a legally mandated assessment the same as your business license or property tax. If you do not pay, the City of Lodi will seek relief in the form of collection action, credit report notification, or other legal remedies.

**Who can I contact about billing?**

Annual assessment billings are a collaborative effort on behalf of the DLBP and the City of Lodi's Finance Department. Should you have questions about your assessment fee, require fee adjustments, or are no longer within the BIA, please contact the DLBP directly at (209) 369-8052.

**AGREEMENT**

THIS AGREEMENT, entered into this 18<sup>th</sup> day of November, 1998, by and between the CITY OF LODI, a municipal corporation ("City"), and the DOWNTOWN LODI BUSINESS PARTNERSHIP ("DLBP").

**WITNESSETH:****1. PURPOSE.**

The purpose of this agreement is to allow events involving street closures under the authority of the Downtown Lodi Business Partnership (DLBP) in order to promote interest in the community and downtown core, along with increasing consumer awareness of the services offered and to provide a wholesome atmosphere.

**2. TERM.**

This Agreement shall be automatically renewed upon City approval of the Business Improvement Association (BIA) budget unless specifically exempted.

**3. TERMINATION OF AGREEMENT.**

Either party to this Agreement shall have the right to terminate this Agreement at any time by giving the other party written notice of such intent to terminate, with or without cause.

**4. RESPONSIBLE PERSONS.**

It shall be the responsibility of the DLBP to keep City informed of the name, address and phone number of the person representing the DLBP with whom the City shall deal, and to whom all notices should be directed.

**5. LOCATION.**

All events conducted under this Agreement shall be conducted within that portion of Downtown known as the Business Improvement Area as adopted City Resolution No. 97-179. All vendors shall do business outside the fire lanes as designated by the City.

**6. DAYS/HOURS**

Permissible days and hours for an event shall be detailed in the Encroachment Permit

**7. RESPONSIBLE PARTY.**

The DLBP shall be primarily responsible for the events and for all necessary planning, physical facilities, equipment, fire lanes, and removal, cleanup, and staffing. DLBP shall also be responsible for any necessary permits and Code requirements for the conduct of such event as may be required by County and State agencies and coordination with appropriate City departments, such as Police and Fire. All necessary certificates and approvals by any health or other governmental organization shall be in the possession of the person representing the DLBP in such event. At least 15 days prior to the event, the DLBP shall obtain an Encroachment Permit.

8. PARTICIPATION.

Participation in an event and use of the public right-of-way shall be limited to those members of the DBLP, in good standing with the organization, and those persons and vendors as may be approved by the DLBP.

9. CONDUCT OF EVENT.

DLBP shall be responsible for staging and location of all participants and vendors. No equipment, vehicle, or supporting structure shall be placed on any sidewalk or street except as specified on the Encroachment Permit. Vendors shall be limited to the sale of items specified on their application made to the DLBP. The DLBP shall insure that all vendors have obtained all necessary licenses. The DLBP shall be responsible for all necessary setup and cleanup, and the provision of adequate refuse containers as approved by the Public Works Director. At the conclusion of this event, streets shall be restored to a neat and orderly appearance. Electronic amplification, with the exception of entertainment sanctioned by the DLBP, shall be prohibited.

10. NOTIFICATION OF BUSINESSES AND HOMEOWNERS

The DLBP shall notify all businesses and homeowners who may be effected by an event. The notice shall contain the name and telephone number of a person who can answer questions about the timing, route, staging, associated activities, etc. for the event.

11. ENCROACHMENT PERMIT.

DLBP shall be required to obtain an Encroachment Permit for the conduct of an event described herein. The Permit shall provide all information the City deems necessary. The Permit shall be approved by the City Manager or his designee. Nothing in this Agreement shall dispense with such requirements or guarantee the issuance of a Permit. The City reserves the right to reject any Permit application.

12. DISPLAY OF BANNERS.

Banners to be displayed above and across streets shall be accomplished only with the mutual consent of the affected building property owners or their representative. Copies of those mutual agreements shall be submitted to the City. The DLBP shall take responsibility for maintenance of all anchoring and related apparatus, inspection, removal and placement of the banner. Banner installation shall not interfere with functioning or maintenance operations of City utilities and shall be removed at applicant's expense when requested by the City. The minimum height clearance shall be 17 feet from street surface to lowest point of a banner. The banners are to be displayed in a neat manner for a period not exceeding 60 days prior to and 5 days after the conclusion of the event. Banners to be displayed on street lights shall be as approved by the Public Works Department

13. EQUIPMENT.

City shall have no responsibility to provide any equipment, light, power, or other article necessary for the conduct of an event. DLBP shall provide necessary sanitary facilities in the form of portable toilets, in a number adequate to accommodate participants and spectators. Locations of sanitary facilities at sites other than public right-of-way shall require consent of property owner. Copies of those mutual agreements shall be submitted to the City upon request. Location of sanitary facilities within the public right-of-way or City-owned parking lots must be approved by the City.

14. VENDORS' LOCATIONS.

Vendors shall be located as approved by the DLBP and as specified in the Encroachment Permit.

15. INSURANCE.

DLBP shall furnish to the City of Lodi, prior to the commencement of an event, general liability insurance in a minimum amount of \$1,000,000, naming the City of Lodi as additional insured. Coverage afforded by such policy shall be deemed primary coverage, and not as excess coverage for any losses incurred by the City of Lodi. The DLBP may furnish an annual certificate of insurance covering all events.

16. RIGHT-OF-WAY OPEN TO PUBLIC.

During the conduct of an event, the streets and sidewalks within the closure limits shall remain open for access by pedestrians. A 24-foot emergency vehicle access lane in all streets and 15-foot clearance and accessibility to each fire hydrant shall be maintained at all times. At two-story structures and greater, emergency access shall be provided as required by the Fire Marshall.

17. VENDOR OR SIDEWALK SALES.

The City shall not approve vendor or sidewalk sales or other activities within the closure area for an event. The DLBP may allow such sales or events and shall permit sidewalk sales by businesses located within the closure area for goods and services normally provided by said business at no charge to the business. Sidewalk sale displays shall maintain pedestrian use of the public right-of-way in conformance with the Encroachment Permit.

18. NONCOMPLIANCE.

City may order the partial or total closure of an event for substantial noncompliance with any of the terms and provisions of this Agreement, or for any activity or circumstance amounting to a threat to health, safety or welfare.

19. HOLD HARMLESS.

DLBP and participants agree to hold harmless and indemnify the City for any losses or claims arising from or out of the conduct of an event by DLBP which is not directly attributable to the negligence of a City officer, agent or employee. Such hold harmless shall include the right to indemnity for any attorney's fees or costs incurred in the defense of any action arising therefrom.

20. AMENDMENTS.

Any changes from those as described in this Agreement are to be reviewed and approved in advance by the City Manager.

21. EXCLUSIONS

This agreement does not include, nor provide the DBLP with control of City sponsored events including, but not limited to, the following events:

- a) Chamber of Commerce Street Faire (two times per year) as provided in the agreement between the City of Lodi and the Chamber of Commerce
- b) Lodi and Tokay High School homecoming parades
- c) Lodi Grape Festival Parade



d) Grape Bowl Classic Band Review

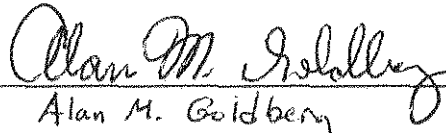
IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first hereinabove mentioned.

CITY OF LODI, a municipal  
corporation

DOWNTOWN LODI BUSINESS PARTNERSHIP

  
H. DIXON FLYNN  
City Manager

By

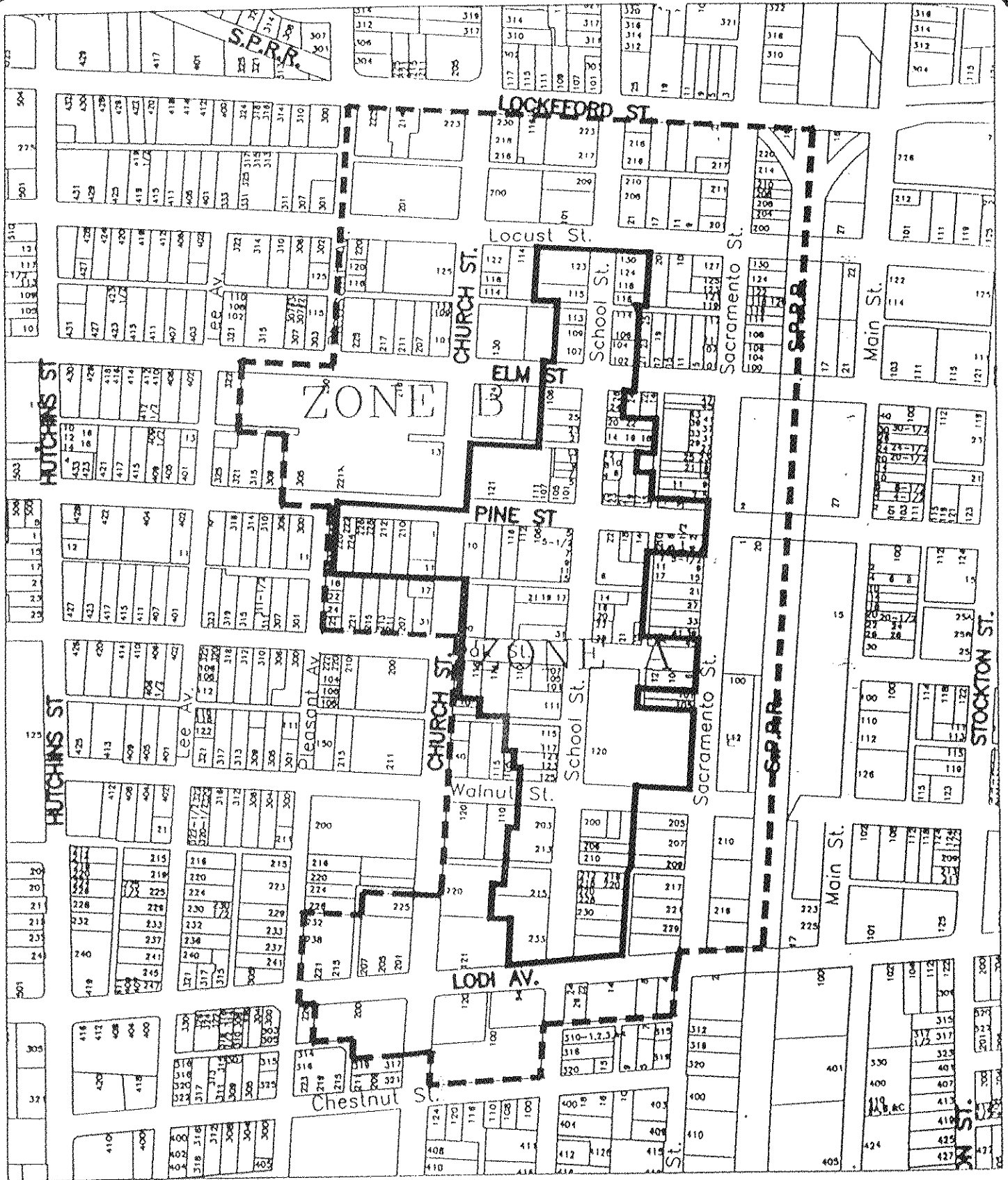
  
Alan M. Goldberg  
President

ATTEST:

  
ALICE M. REIMCHE  
City Clerk

APPROVED AS TO FORM:

  
RANDALL A. HAYS  
City Attorney



RESOLUTION NO. 2005-262

A RESOLUTION OF INTENTION TO LEVY ANNUAL  
ASSESSMENT FOR DOWNTOWN LODI BUSINESS  
IMPROVEMENT AREA NO. 1, ESTABLISHING PUBLIC  
HEARING DATE, AND APPROVING ANNUAL REPORT

---

WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance No. 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code §36533, has been submitted to the Council by the Board of Directors of said improvement area.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

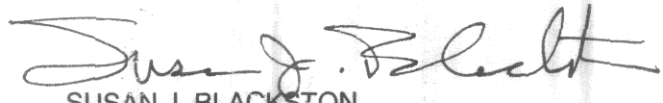
1. Approved the Annual Report as submitted, said Report being on file with the City Clerk.
2. Establishes January 4, 2006, in the City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or soon thereafter as possible, as the date, place, and time to hold the public hearing required by Streets and Highway Code §36534.
3. It is the intention of the City Council to levy and collect assessments within the parking and business improvement area for calendar year 2006 (the Area's fiscal year).
4. The boundaries of the entire area to be included in the Area and the boundaries of each separate benefit zone within the area are set forth in the Map, Exhibit A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.
5. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in Exhibit B hereto and incorporated by reference.
6. At the time of the public hearing, written and oral protests may be made. The form and manner of protests shall comply with Streets and Highways Code §§36524 and 36525.

Dated: December 21, 2005

---

I hereby certify that Resolution No. 2005-262 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 21, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Mounce  
NOES: COUNCIL MEMBERS – Beckman and Mayor Hitchcock  
ABSENT: COUNCIL MEMBERS – None  
ABSTAIN: COUNCIL MEMBERS – None

  
SUSAN J. BLACKSTON  
City Clerk



## **Events**

### **Overview:**

- *Develop Events that are not exclusive to marketing the Downtown, but the city of Lodi*
- *Develop Events that hold a recognized theme*
- *Modify the Farmers Market Event to include participants to fall into the category of "Homemade" and "Homegrown".*
- *Develop Partnerships with various groups/clubs to incorporate their heritage into our events that contain a theme.*
- *Implement the Downtown Lodi Business Partnership Event Policy*

## 2006 DOWNTOWN LODI CALENDAR OF EVENTS

### DLBP EVENTS

VALENTINE'S DAY RETAIL PROMOTION  
 ST. PATRICK'S DAY CELEBRATION  
 SACRAMENTO STREET CAR SHOW  
 SPRING SIDEWALK EGGS-TRAVAGANZA  
 PHOTOS WITH THE EASTER BUNNY  
 WALL DOGS CENTINNIAL CELEBRATION  
 CINCO DE MAYO CELEBRATION  
 HISTORIC WALKING TOUR  
 MOTHER'S DAY PROMOTION  
 FARMERS MARKET & FESTIVAL  
 WINE & SAUSAGE FESTIVAL  
 FATHER'S DAY PROMOTION  
 BREWS & BLUES FESTIVAL  
 BACK-TO-SCHOOL SIDEWALK SALE  
 69th ANNUAL KIDDIE PARADE  
 OKTOBERFEST  
 SAFE-HALLOWEEN  
 WINTERFEST  
 PHOTOS WITH SANTA &  
 VICTORIAN-ERA CARRIAGE RIDES  
 MERCHANT WINDOW DISPLAY CONTEST  
 11th ANNUAL PARADE OF LIGHTS  
 NEW YEAR'S EVE CELEBRATION

Saturday, Feb. 11

Friday, March 17

Saturday, April 1

Saturday, April 15

Saturday, April 15

Sunday, April 16

April 28 - May 31

Friday, May 5

Weekends beginning  
In May

Saturday, May 13

Thursdays

June 1 - Sept. 28

Sunday, June 11

Saturday, June 17

Sunday, July 23

Saturday, Aug. 5

Saturday, Sept. 16

Sunday, Oct. 15

Saturday, Oct. 28

Saturday, Nov. 25

Saturdays

Nov. 25 - Dec. 16

Nov. 25 - Dec. 31

Thursday, Dec. 7

Sunday, Dec. 31

### NON-DLBP EVENTS

SCHOOL STREET STROLL

LODI STREET FAIRE

Fridays (tentative)

April 14 & Oct. 13

Sundays (tentative)

May 7 & Oct. 1

2006

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PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

December 24th

all in the year 2005.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 24th day of December 2005.

Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of

Notice of Public Hearing Resolution No. 2005-262  
A Resolution of Intention to Levy Annual Assessment For  
Downtown Lodi Business Improvement Area No. 1,  
Establishing Public Hearing Date, and Approving Annual  
Report

NOTICE OF PUBLIC HEARING  
RESOLUTION NO. 2005-262

A RESOLUTION OF INTENTION  
TO LEVY ANNUAL ASSES-  
MENT FOR DOWNTOWN LODI  
BUSINESS IMPROVEMENT  
AREA NO. 1, ESTABLISHING  
PUBLIC HEARING DATE, AND  
APPROVING ANNUAL REPORT

WHEREAS, Downtown Lodi  
Business Improvement Area no. 1  
was established December 17,  
1197, by Council adoption of  
Ordinance No. 1654; and

Whereas, The Annual Report, as  
required by Streets and Highway  
Code 36533, has been submitted  
to the Council by the Board of  
Directors of said improvement  
area.

NOW THEREFORE, the City  
Council of the City of Lodi does  
hereby resolve, determine, and  
find as follows:

1. Approved the Annual Report as  
submitted, said Report being on  
file with the City Clerk.

2. Establishes January 4, 2006.  
In the City Council Chambers, at  
Carnegie Forum, 305 West Pine  
Street, Lodi, California at 7:00  
p.m., or soon thereafter as possi-  
ble, as the date, place, and time  
to hold the public hearing  
required by Streets and Highway  
Code 36534.

3. It is the intention of the City  
Council to levy and collect  
assessments within the parking  
and business improvement area  
for calendar year 2006 (the Area's  
fiscal year).

4. The boundaries of the entire  
area to be included in the Area  
and the boundaries of each sepa-  
rate benefit zone within the area  
set forth in the Map, "Exhibit A,  
incorporated herein by reference.  
A true and correct copy of the  
map is on file with the City Clerk  
of the City of Lodi.

5. The types of improvements  
and activities proposed to be  
funded by the levy of assess-  
ments on business in the Area  
are in "Exhibit B hereto and incor-  
porated by reference.

6. At the time of the public hearing  
written and oral protests may be  
made. The form and manner of  
protests shall comply with Streets  
and Highway Code 36524 and  
36525.

\*NOTE: Information regarding  
this matter and referenced  
exhibits may be obtained in the  
Office of the City Clerk, City Hall,  
221 West Pine Street, Lodi, CA,  
95240. All interested persons are  
invited to present their views and  
comments on this matter. If you  
challenge the subject matter in  
court, you may be limited to rais-  
ing only those issues you are  
someone else raised at the public  
hearing described in this notice or  
in written correspondence deliv-  
ered to the City Clerk prior to the  
close of the public hearing.

Date: December 21, 2005

I hereby certify that Resolution  
No. 2005-262 was passed and  
adopted by the City Council of the  
City of Lodi in a regular meeting  
held December 21, 2005, by the  
following vote:

AYES: COUNCIL MEM-  
BERS - Hansen, Johnson, and  
Mounce

NOES: COUNCIL MEMBERS -  
Beckman, and Mayor Hitchcock

ABSENT: COUNCIL MEMBERS -  
None

ABSTAIN: None  
December 24, 2005 - 05511020





***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** NOTICE OF PUBLIC HEARING FOR JANUARY 4, 2006, TO CONSIDER  
LEVY OF ANNUAL (2006) ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT  
AREA NO. 1

**LEGAL AD**

**PUBLISH DATE:** DECEMBER 24, 2005

**TEAR SHEETS WANTED:** Three (3) please

**SEND AFFIDAVIT AND BILL TO:** SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** Thursday December 22, 2005

**ORDERED BY:** SUSAN J. BLACKSTON  
CITY CLERK

JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

LNS Faxed to the Sentinel at 369-1084 at 12:08 (time) on 12/22/05 (date) 2 (pages)  
DIANE R Phoned to confirm receipt of all pages at 12:30 (time) JLT DRC JMP (initials)





## **DECLARATION OF POSTING**

### **PUBLIC HEARING FOR JANUARY 4, 2006, to consider levy of annual (2006) assessment for the Downtown Lodi Business Improvement Area No. 1.**

On Thursday December 22, 2005, in the City of Lodi, San Joaquin County, California, a notice of public hearing to approve the Downtown Lodi Business Partnership (DLBP) 2005/2006 Annual Report as submitted by the DLBP Board of Directors, to adopt a Resolution of Intention to levy an annual assessment for that fiscal year was posted at;

Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 22, 2005, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON**  
**CITY CLERK**

\_\_\_\_\_  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

A handwritten signature in cursive script, reading "Dana R. Chapman".

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

## NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2005-262

A RESOLUTION OF INTENTION TO LEVY ANNUAL  
ASSESSMENT FOR DOWNTOWN LODI BUSINESS  
IMPROVEMENT AREA NO. 1, ESTABLISHING PUBLIC  
HEARING DATE, AND APPROVING ANNUAL REPORT

=====

WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance No. 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code §36533, has been submitted to the Council by the Board of Directors of said improvement area.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. Approved the Annual Report as submitted, said Report being on file with the City Clerk.
2. Establishes **January 4, 2006, in the City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or soon thereafter as possible, as the date, place, and time to hold the public hearing** required by Streets and Highway Code §36534.
3. It is the intention of the City Council to levy and collect assessments within the parking and business improvement area for calendar year 2006 (the Area's fiscal year).
4. The boundaries of the entire area to be included in the Area and the boundaries of each separate benefit zone within the area are set forth in the Map, \*Exhibit A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.
5. The types of improvements and activities proposed to be funded by the levy of assessments on business in the Area are in \*Exhibit B hereto and incorporated by reference.
6. At the time of the public hearing, written and oral protests may be made. The form and manner of protests shall comply with Streets and Highways Code §§36524 and 36525.

\*NOTE: Information regarding this matter and referenced exhibits may be obtained in the Office of the City Clerk, City Hall, 221 West Pine Street, Lodi, CA, 95240. All interested persons are invited to present their views and comments on this matter. If you challenge the subject matter in court, you may be limited to raising only those issues you are someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk prior to the close of the public hearing.

Dated: December 21, 2005

=====

I hereby certify that Resolution No. 2005-262 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 21, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS – Beckman and Mayor Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
SUSAN J. BLACKSTON  
City Clerk

Susan Blackston

K-1

**From:** Larry Hansen  
**Sent:** Wednesday, December 21, 2005 5:19 PM  
**To:** 'Pamela Hayn'  
**Cc:** City Council  
**Subject:** RE: DLBP Activities

Pamela....Thank you for taking the time to express your concerns about the DLBP you have provided some interesting background.....Larry

-----Original Message-----

**From:** Pamela Hayn [mailto:plhayn@yahoo.com]  
**Sent:** Wednesday, December 21, 2005 4:31 PM  
**To:** Susan Hitchcock; Bob Johnson; JoAnne Mounce; Larry Hansen  
**Subject:** DLBP Activities

City Council Members,

As you prepare to accept the DLBP's annual report and subsequently adopt a resolution of intent to levy assessments on its members, I would like to share with you the following:

It is no secret that the past 12 months have been wrought with turmoil and inefficiencies within the organization, resulting in the removal and subsequent reinstatement of the President, the resignations of three very qualified board members, allegations of misappropriation of funds from its Wine & Beer Garden and the board's inability to follow proper ABC operating procedures (ultimately resulting in the premature closing of this popular feature at the weekly Farmers Market), a myriad of conflicts of interest and disagreements, persistent inability to adhere to The Brown Act and/or follow Open Meeting Laws, improper and selective election processes, months of negative media coverage that has ultimately reflected poorly on Lodi as a whole, and the sudden and questionable termination of the organization's Executive Director.

There have been many questions surrounding my termination with the organization, many of which I have been unable to address due to pending legal action. I have been recipient of over 100 phone calls from concerned members and citizens of the community regarding the DLBP's historical pattern of terminating its current Executive Director each time the board itself becomes embroiled in months of internal conflict such as this. Like them, I too question the timing of such behavior and find myself wondering if it their recent actions are not yet another last-stitch effort to save face in front of the respected members of our city council just prior to giving their annual report. Unlike my predecessor, my "immediate" termination came as a shock to many, due mainly in part to an outstanding performance review and merit increase unanimously voted upon just months earlier by many of those same members currently sitting on the board today. For those who remember the tumultuous cloud under which I entered into the organization in 2003, the difference was like night and day. One would also question how an ED who was widely praised for her efforts and ability to accomplish so much in such a short amount of time (including 3 self-funded banner programs, implementation of 5 additional revenue-generating programs such as photos w/Santa, and the negotiation of a new large-scale brought to the downtown area such as the Wine & Sausage Festival), could suddenly have become so inept at performing her own job to warrant such drastic action - had it not been for the ineffective leadership of its own board of directors.

The manner in which my termination was handled by the President and Executive Committee is questionable to say the least. There are many facts and details involved, which until now, have been unbeknownst to

many. These include an impromptu performance evaluation by the President just 24 hours after engaging in a protected activity and informing her of my intent to contact the DFEH regarding the worsening harassment, threats and discriminatory behavior I was subjected to as a result of the board's division. Both the DFEH and the California State Labor Commission have taken extreme notice of the fact that the President clearly stated in this review my "threats of legal action against the organization" as a "deficiency" in job performance. Following completion of the award-winning Farmers Market and only 1 day after requesting Worker's Compensation claim information, I was terminated "effective immediately" via telephone by the President, Mary Wallace, and while out on medical leave for stress (diagnosed as being caused by a "hostile work environment" by a treating Worker's Comp physician). The reason provided to the media by for my termination by the President was that I "was not in line with the Board's direction." For this, I would respectfully ask, what direction? Few are aware that the current President, Ms. Wallace, did not meet with me even once during the entire 10 months of her term, despite my numerous requests. This group of individuals has proven its own dysfunctionality repeatedly through its inability to hold and conduct regular monthly board meetings, follow basic parliamentary procedure, or pass a single motion in 1-year with a majority vote – not to mention provide any clear and concise direction to its own Executive Director. Their division resulted in little to no volunteer support provided to me during downtown's busiest event season, a division amongst my staff that resulted in the departure of 4 employees (two of which the board has curiously re-hired following my termination and two whom resigned immediately following my termination).

It is my opinion that the self-serving motives and agenda of certain individuals on this board are a disgrace at best. However, the final actions of its Executive Committee and President have been almost too appalling to believe. It is no secret that I did much if not all of the physical work involved in the organization's many events and 19-week Farmers Market (in addition to my executive duties) and/or that I consecutively worked 15-18 hour days in order to ensure the success of the organization's programs and events. The hard work, dedication, personal time and effort I gave to the DLBP and the downtown area over the last 10 months was in turn met by a check in the amount of \$0 from the President and Treasurer following my termination. The consistent use of my own vehicle to load, unload and haul event equipment for the entire duration of the Farmers Market has been repeatedly ignored by these respected "leaders" of the community. A portion of my personal property was dropped off in front of my home by the Vice President on 2 separate occasions without prior notice.

To-date, my requests for the remainder of my belongings and the over \$5,000 in wages, vacation pay and expenses still owed to me have been blatantly ignored. My persistent refusal to go along with the self-serving behavior and agenda's of certain board members clearly sealed my fate in the end. Such actions in my opinion, only serve as a further testament to the type and level of treatment I was forced to endure over the last year. Having invested so much time and labor in the downtown area over the last two years, and with a brother who is a business owner and member of the DLBP, I assure you that my intent is by no means to impose harm to the downtown area or reverse my own efforts. However, the city council should be aware of the fact that due to the DLBP's actions, I have filed for and recently received a "right to sue" notice from the Department of Fair Employment & Housing. There are also two complaints currently under investigation by the California Labor Commissioner, and I have requested a full-scale audit of the board's activities over the last year by the California Attorney General.

At the risk of sounding like a disgruntled former employee (which I assure you I am not), I feel it is my responsibility to inform the members of our city council of the recent actions of the DLBP Board of Director's prior to approving yet another tragic waste of funds and taxpayer dollars. As the governing body responsible for passing the ordinance by which the DLBP was initially created, I would respectfully request that every city council member, at the very minimum, take the initiative to review the DLBP's board meeting minutes (including special meetings) from the past year. Provided you are given the minutes in their entirety, I assure you that in doing so you will find my concerns valid and true. I am also available to meet with you at any time.

Many have said that the very make-up of a BID district guarantee's its own demise. I firmly agree that the operation as it is governed today is headed for failure. In my first year as DLBP's ED, Downtown Lodi received no negative press. In the last year alone, nearly 50 articles have emerged – many of which will be floating around on the Internet for years to come. Such negativity only serves as a detriment to the forward progress of the City of Lodi. Furthermore, as business owners primarily concerned with their own bottom line, and whom lack the background, experience and resources required to adequately and safely execute events, I have strong concerns about the busy event season to come and can only keep my fingers crossed that something more tragic than a few vehicles being towed does not occur.

If nothing else, I would suggest that the City Council

appoint an advisory board to oversee the future actions of the DLBP. Your involvement is critical.

Thank you for your time and consideration. I have enjoyed working with all of you and wish you much success in the future.

Yours Truly,

Pamela Hayn  
(209) 570-4475

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>